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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

GIANNESSI et al.

Atty. Ref.: 2801-139; Confirmation No. 5009

Appl. No. 10/539,833

TC/A.U. 1614

Filed: July 19, 2005

Examiner: Gembeh

For: USE OF A-PHENYLTHIOCARBOXYLIC AND A-PHENYLOXYCARBOXYLIC ACIDS
WITH SERUM-GLUCOSE-LOWERING AND SERUM-LIPID-LOWERING ACTIVITY

* * * * *

May 9, 2006

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

RESPONSE TO REQUIREMENT FOR RESTRICTION

Responsive to the Official Action of April 19, 2006 and the requirement for restriction presented in it, applicant elects the subject matter of claims 1-14, Group I, directed to a method of treating hyperlipidemia. This response is made without traverse.

Applicants elect as the single disclosed species compound ST 2195 (methyl 2- [3-[2-(4-chlorophenyl)ethoxy]phenylthio]iso-butyrate). Please see Example 1 and note the data in Tables 1-8.

As single disease or condition to be treated applicants elect hyperglycemia.

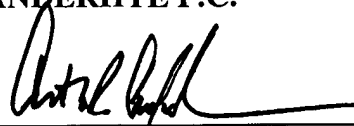
Please examine the elected claims and species on the merits taking into account the documents cited in the International Search Report in the underlying PCT application and the Information Disclosure Statement filed June 17, 2005. Note also a Communication from the European Patent Office dated January 13, 2006 and listed on the attached PTO/SB/08A.

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Respectfully submitted,

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By: _____



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